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Atty. Dkt. No. 040302-0424

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hiromi SUGIMOTO et al.
Title: GAS PERMEABLE SUBSTRATE AND
SOLID OXIDE FUEL CELL USING THE
SAME
Appl. No.: 10/520,267
International Filing Date: 12/16/2003
371(c) Date: 01/06/2005
Examiner: Cynthia K. Lee
Art Unit: 1795
Confirmation Number: 2802

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement set forth in the Office Action mailed on August 1, 2008, restricting the claims into two groups: Group I, claims 1-9, drawn to a gas permeable substrate and Group II, claim 9, drawn to a solid oxide fuel cell, Applicants hereby provisionally elect Group I, claims 1-9, for examination without traverse.

Applicants reserve the right to file a divisional application directed to the subject matter of the non-elected claim. Applicants now await an early and favorable action on the merits. Should the Examiner feel that a discussion would advance this application, the Examiner is courteously invited to contact Applicants' undersigned attorney by telephone.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extension fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date September 2, 2008 By Phillip J. Articola Reg. No. 38,819
for / Michael D. Kaminski
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